

REMARKS

Claims 1 and 8-17 have been amended. New claims 18-20 have been added.

Claims 1-17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,454,834 to Boebel et al. in view of U.S. Patent No. 6,030,377 to Linhares et al., U.S. Patent No. 5,330,530 to Hastings and U.S. Patent No. 5,639,278 to Dereume et al. The Examiner's rejections are respectfully traversed.

The Boebel et al. reference discloses a suture material having a thread 1, a needle 2 and two preformed loop sections 3, 4, as shown in Fig. 1. As shown in Figs. 5-10, a suturing technique is illustrated, wherein the suture material is used to close an opening in body tissue.

However, the suturing technique taught by the Boebel et al. reference does not include inserting a suture through the dermis and subcutaneous fat layers such that the suture is positioned generally entirely below the surface of the skin. Furthermore, the Boebel et al. reference does not disclose the use of gold sutures.

The Examiner argues that sutures made of gold are known in the art and cites to the Linhares et al., the Hastings and the Dereume et al. references to support the position. Therefore, the Examiner argues that it would have been obvious to one skilled in the art to perform the suturing technique taught by Boebel et al. with the sutures disclosed in the Linhares et al., the Hastings or the Dereume et al. references.

However, the Linhares et al., the Hastings and the Dereume et al. references do not disclose sutures including gold thread. Rather, the Linhares et al. reference discloses sutures 54' and 54'' that may be formed from gold, wherein suture 54' is a metal staple, as shown in Fig. 9A, and suture 54'' includes barbs 82, as shown in Fig. 10A. Furthermore, the Hastings reference discloses scalp implants formed from gold and the Dereume et al. reference discloses radiopaque sutures or wires sewn into a endoluminal graft.

Accordingly, the references cited in the Office action, either alone or in combination, do not teach or suggest a suturing technique including, among other things, inserting a suture including a gold thread into the dermis and through the subcutaneous fat layer on a first side of a

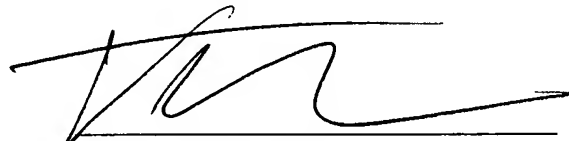
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Amendment

laceration, inserting the suture through the subcutaneous fat layer and into the dermis on a second side of the laceration, and tightening the suture to bring the first side of the laceration generally into contact with the second side of the laceration, wherein the suture is positioned generally entirely below the skin.

In light of the foregoing, the Examiner's rejections of claims 1-17 under 35 U.S.C. § 103 are respectfully traversed. Accordingly, it is submitted that the application is in condition for allowance and formal notice thereof is respectfully requested.

Applicants hereby authorize the Commissioner under 37 C.F.R. § 1.136(a)(3) to treat any paper that is filed in this application, which requires an extension of time, as incorporating a request for such an extension. The Commissioner is authorized to charge any additional fees required by this paper or to credit any overpayment to Deposit Account No. 20-0809.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Victor J. Wasylyna', written over a horizontal line.

Victor J. Wasylyna
Reg. No. 52,345

THOMPSON HINE LLP
2000 Courthouse Plaza NE
10 West Second Street
Dayton, Ohio 45402-1758
PH (937) 443-6812